HON'BLE SMT. JUSTICE T. MEENA KUMARI

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HON'BLE SRI JUSTICE K.C. BHANU

Writ Petition No.23413 of 2005

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Dated: 7th November 2005

Between:

Ramavath Parvathibhai

… Petitioner

And

The Station House Officer, Karempudi Police Station,

Guntur and another.

… Respondents

Oral Order: (per the Hon'ble Smt. Justice T. Meena Kumari)

1. This writ petition is taken up on the basis of a Telegram dated 26-10-2005 sent by the petitioner informing that her son Ramavath Shankar Nayak was taken away by Karempudi Police, Guntur District on 20-10-2005 and requesting to save his life, which is in danger at the hands of the police.

2. The learned Advocate General has filed a counter-affidavit sworn by the Circle Inspector of Police, Gurazala Circle, Guntur District wherein it is stated by the C.I. of Police, Gurazala Circle that the alleged detenu

was not taken away by any of the police under Gurazala Circle viz., Gurazala, Karampudi, Rentachinthala and Dachepalli. On enquiries he came to know that the alleged detenu is the suspect in Crime No.33 of 2005 of P.S.Epur of Vinukonda Circle under Section 395 IPC and under Section 27 of the Indian Arms Act. On 20-10-2005 and 27-10-2005 the detenu was called to Vinukonda Circle Office for the purpose of enquiry and he was let off on 20-10-2005 with a direction to attend the Circle Office on 27-10-2005 and on 27-10-2005, as the case is not established against him, he was handed over to his parents with a direction to produce him before the police as and when required. The learned Advocate General has also filed a copy of the undertaking given by the parents of the detenu before this Court along with the FIR in Crime No.33 of 2005.

3. In view of the statement made by the Circle Inspector of Police, Gurazala Circle, Guntur District in the counter-affidavit that the detenu is not in the custody of the police and in view of the undertaking given by the parents of the detenu that the police of Vinukonda Circle have handed over their son to them on
27-10-2005, nothing survives in this writ petition and the same is closed.

(Smt. T. Meena Kumari, J)

(K. C. Bhanu, J)

7th November 2005

svs